

Of Counsel:

FUKUNAGA MATAYOSHI HERSEY & CHING LLP

WESLEY H. H. CHING 2896  
SHREEE KON-HERERRA 6927  
841 Bishop Street, Suite 1200  
Honolulu, Hawai'i 96813  
Telephone: (808) 533-4300

TUCKER ELLIS & WEST LLP  
KIM W. WEST (*Admitted Pro Hac Vice*)  
One Market, Steuart Tower, Suite 1300  
San Francisco, California 94105  
Telephone: (415) 617-2400  
Facsimile: (415) 617-2409

TUCKER ELLIS & WEST LLP  
SAMANTHA M. BALL (*Admitted Pro Hac Vice*)  
1000 Wilshire Boulevard, Suite 1800  
Los Angeles, California 90017  
Telephone: (213) 430-3400  
Facsimile: (213) 430-3409

Attorneys for Defendant,  
TWIN CITY INSURANCE COMPANY

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF HAWAII**

UNIFIED WESTERN GROCERS, INC.; CERTIFIED GROCERS OF CALIFORNIA, LTD.; GROCERS SPECIALTY COMPANY; ALFRED A. PLAMANN; CHARLES PILLITER; DANIEL T. BANE; ROBERT M. LING; AND DAVID WOODWARD,	) CIVIL NO. CV 03-00336 HG BMK ) ) [Honorable Magistrate Barry Kurren] ) ) DEFENDANT TWIN CITY FIRE ) INSURANCE COMPANY'S ) OPPOSITION TO PLAINTIFFS ) MOTION FOR LEAVE TO FILE ) FIRST AMENDED COMPLAINT;
--	--

Plaintiffs,  
vs.  
TWIN CITY FIRE INSURANCE  
COMPANY, an Indiana Corporation,  
Defendant.

) **MEMORANDUM OF POINTS AND  
AUTHORITIES; DECLARATION  
OF SAMANTHA M. BALL;**  
 ) **EXHIBITS "A" – "C";**  
 ) **CERTIFICATE OF SERVICE**  
 )  
 ) **HEARING:**  
 ) **Date: June 14, 2007**  
 ) **Time: 11:30 a.m.**  
 ) **Magistrate Judge: The Honorable**  
 ) **Barry Kurren**  
)

---

**Trial Date: November 6, 2007**

**DEFENDANT TWIN CITY FIRE INSURANCE COMPANY'S  
OPPOSITION TO PLAINTIFFS' MOTION FOR LEAVE TO  
FILE FIRST AMENDED COMPLAINT**

Defendant Twin City Fire Insurance Company ("Twin City") hereby opposes Plaintiffs' Motion for Leave to File First Amended Complaint.

DATED: Honolulu, Hawai`i, May 25, 2007.

FUKUNAGA MATAYOSHI  
HERSHEY & CHING LLP

/s/ Sheree Kon-Herrera

WESLEY H. H. CHING  
SHEREE KON-HERRERA

DATED: Los Angeles, California, May 25, 2007.

TUCKER ELLIS & WEST LLP

/s/ Samantha M. Ball

KIM W. WEST (*Admitted Pro Hac Vice*)  
SAMANTHA BALL (*Admitted Pro Hac Vice*)  
Attorneys for Defendant, TWIN CITY  
FIRE INSURANCE COMPANY